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**Seventy-first session**
**Third Committee**
Agenda item 68 (c)
**Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives**

**Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Latvia, Lithuania, Luxembourg, Netherlands, Palau, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution**

## Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)

*The General Assembly*,

*Guided* by the purposes and principles of the Charter of the United Nations,

*Recalling* the Universal Declaration of Human Rights,[1] international human rights treaties and other relevant international instruments and declarations,

*Confirming* the primary responsibility of States to promote and protect human rights,

*Reaffirming* the responsibility of States to respect international law, including the principle that all States shall refrain from the threat or use of force against the territorial integrity or political independence of any State and from acting in any other manner inconsistent with the purposes of the United Nations, recalling its resolution 2625 (XXV) of 24 October 1970, in which it approved the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, and reaffirming the principles contained therein,

*Recalling* its resolution 68/262 of 27 March 2014 on the territorial integrity of Ukraine, in which it affirmed its commitment to the sovereignty, political independence, unity and territorial integrity of Ukraine within its internationally

[1] General Assembly resolution 217 A (III).



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recognized borders, and relevant decisions of international organizations, specialized agencies and bodies within the United Nations system,

*Condemning* the temporary occupation of part of the territory of Ukraine — the Autonomous Republic of Crimea and the city of Sevastopol (hereinafter "Crimea") — by the Russian Federation, and reaffirming the non-recognition of its annexation,

*Welcoming* the reports of the Office of the United Nations High Commissioner for Human Rights on the human rights situation in Ukraine, of the Commissioner for Human Rights of the Council of Europe, and of the human rights assessment mission of the Office for Democratic Institutions and Human Rights and the High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe, in which they stated that violations and abuses of human rights continued to take place in Crimea and pointed to the sharp deterioration of the overall human rights situation,

*Condemning* the imposition of the legal system of the Russian Federation and the negative impact on the human rights situation in Crimea,

*Condemning also* the reported serious violations and abuses committed against residents of Crimea, in particular extrajudicial killings, abductions, enforced disappearances, politically motivated prosecutions, discrimination, harassment, intimidation, violence, arbitrary detentions, torture and ill-treatment of detainees and their transfer from Crimea to the Russian Federation, as well as reported abuses of other fundamental freedoms, including the freedoms of expression, religion or belief and association and the right to peaceful assembly,

*Expressing serious concern* at the decision of the so-called Supreme Court of Crimea of 26 April 2016 and the decision of the Supreme Court of the Russian Federation of 29 September 2016 to declare the Mejlis of the Crimean Tatar People, the self-governing body of the Crimean Tatars, to be an extremist organization and to ban its activities,

*Recalling* the prohibition under the Geneva Conventions of 12 August 1949[2] for the occupying Power to compel a protected person to serve in its armed or auxiliary forces,

*Welcoming* the continued efforts by the Secretary-General, the United Nations High Commissioner for Human Rights, the Organization for Security and Cooperation in Europe, the Council of Europe and other international and regional organizations to support Ukraine in promoting, protecting and ensuring human rights, and expressing concern over the lack of safe and unfettered access by established regional and international human rights monitoring mechanisms and human rights non-governmental organizations to Crimea,

1. *Condemns* the abuses, measures and practices of discrimination against the residents of the temporarily occupied Crimea, including Crimean Tatars, as well as Ukrainians and persons belonging to other ethnic and religious groups, by the Russian occupation authorities;

[2] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

2. *Urges* the Russian Federation:

(a) To uphold all of its obligations under applicable international law as an occupying Power;

(b) To take all measures necessary to bring an immediate end to all abuses against residents of Crimea, in particular reported discriminatory measures and practices, arbitrary detentions, torture and other cruel, inhumane or degrading treatment, and to revoke all discriminatory legislation;

(c) To immediately release Ukrainian citizens who were unlawfully detained and judged without regard for elementary standards of justice, as well as those transferred across internationally recognized borders from Crimea to the Russian Federation;

(d) To address the issue of impunity and ensure that those found to be responsible for abuses are held accountable before an independent judiciary;

(e) To create and maintain a safe and enabling environment for journalists and human rights defenders to perform their work independently and without undue interference in Crimea;

(f) To permit the reopening of cultural and religious institutions;

(g) To revoke immediately the decision declaring the Mejlis of the Crimean Tatar People an extremist organization and banning its activities, and repeal the decision banning leaders of the Mejlis from entering Crimea;

(h) To cooperate fully and immediately with the Office of the United Nations High Commissioner for Human Rights, the Organization for Security and Cooperation in Europe and the Council of Europe on the situation of human rights in Crimea;

3. *Requests* the Secretary-General to seek ways and means, including through consultations with the United Nations High Commissioner for Human Rights and relevant regional organizations, to ensure safe and unfettered access to Crimea by established regional and international human rights monitoring mechanisms to enable them to carry out their mandate;

4. *Urges* the Russian Federation to ensure the proper and unimpeded access of international human rights monitoring missions and human rights non-governmental organizations to Crimea, recognizing that the international presence in Crimea is of paramount importance in preventing the situation from further deterioration;

5. *Requests* the Office of the United Nations High Commissioner for Human Rights to prepare a dedicated thematic report on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol in accordance with the existing mandate and within the existing resources of the human rights monitoring mission in Ukraine, which is currently funded by voluntary contributions;

6. *Decides* to continue its consideration of the matter at its seventy-second session under the item entitled "Promotion and protection of human rights".